

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47972 of 2023**

Arising Out of PS. Case No.-411 Year-2019 Thana- BIDUPUR District- Vaishali

MANISH KUMAR @ MANISH SINGH @ MANISH RAI @ NANKI Son  
of Jitendra Ray @ Jitendra Singh Resident of village - Nanhak Chak, P.S. -  
Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shivanand Singh

For the Opposite Party/s : Mr.Kalyan Shankar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

7      19-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 384, 386, 307, 341, 504, 506/34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, it is alleged that on 18.10.2019, the accused persons demanded 1 lakh as extortion from the informant and threatened. Thereafter, at about 7 PM of the same day, the petitioner along with other accused persons came at shop of the informant and this petitioner fired which hit & pierced through the informant's right hand and thereafter hit the finger of Sonam Kumari.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The informant and the petitioner are co-villagers and they have inimical terms with respect to land and due to this reason, the petitioner has falsely been implicated in this case. From perusal of injury report of the injured informant as well as Sonam Kumar which is at para 34 & 35 of the case diary, it appears they sustained injury on non-vital part. It is further submitted that the police have already submitted the charge-sheet in this case. Moreover, petitioner is languishing in judicial custody since 4.2.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that there is specific allegation of firing against the petitioner. He has also got several criminal antecedents.

6. In pursuance to the direction of this Court, a report dt. 5.1.2024 with regard to present stage of trial has been received by which it appears that the stage of this case is at appearance or supply of police paper to the trial Court.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on



bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Bidupur P.S. Case No. 411 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Hajipur at Vaishali with subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds will be cancelled by the Court below.

(iii) If the petitioner is found involved in tempering with the evidence or threatening the witnesses, his bail bonds will be cancelled by court below.

**(Sunil Kumar Panwar, J)**

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